



DEPARTMENT OF THE NAVY

OFFICE OF THE CHIEF OF NAVAL OPERATIONS

2000 NAVY PENTAGON

WASHINGTON, DC 20350-2000

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Ser DNS-36JP/15U105646

27 Apr 15

Sent via email to: [REDACTED]

Ms. Kerri Holm
[REDACTED]

Dear Ms. Holm:

SUBJECT: YOUR FREEDOM OF INFORMATION ACT REQUEST;
FOIA TRACKING NUMBER DON-NAVY-2015-005083

This is in response to your Freedom of Information Act (FOIA) request dated April 7, 2015. Your request was received in our office on the same day.

Based on the information provided in your request, we are unable to conduct a search. In accordance with the Department of the Navy's FOIA regulations (32 CFR 701.8 (a)(1)), a requester is required to describe the records sought in sufficient detail to enable an employee familiar with the subject area of the request to locate responsive records with a reasonable amount of effort. Your request does not comply with this requirement.

A request that uses open-ended language or phrases such as "any and all" "concerning or relating to" or "including, but not limited to" is not reasonably described, as it provides an unrestricted scope in which any but the most meticulous of searches could be ruled inadequate. As a result, it precludes a knowledgeable individual from conducting a search with a reasonable amount of effort. Requests for records must enable an agency to determine precisely what records are being requested.

In this instance, you are requesting "[...] investigative reports resulting in, or from, each removal of command level personnel from their position of authority since 2010." Please be advised that investigative reports are not filed or retrievable on the basis of their relation to an individual's removal from position.

Descriptive information about a record may be divided into two broad categories:

(i) Category I is file-related and includes information such as type of record, title, index citation, subject area, date the record was created, or its originator.

(ii) Category II is event-related and includes the circumstances that resulted in the record being created or the date and circumstances surrounding the event the record covers.

Generally, a record is not reasonably described unless the description contains sufficient Category I information to permit the conduct of an organized, non-random search based on the existing filing arrangements and retrieval systems, or unless the record contains sufficient Category II information to permit inference of the Category I elements needed to conduct such a search.

In light of the above, we are closing our file on your request. If you still wish to pursue your request, we recommend you identify specific individuals who had been removed from positions of authority, and request those investigative reports on an individual basis,

If you are not satisfied with this action, under 32 CFR §701.12(a), you may appeal the denial of your request by writing to:

Office of the Judge Advocate General
1322 Patterson Ave, SE, Ste 3000
Washington Navy Yard, DC 20374-5066

Your appeal must be received within sixty calendar days from the date of this letter. A copy of your initial request and this letter must accompany the appeal. The appeal should be marked "FREEDOM OF INFORMATION APPEAL" both on the envelope and the face of the letter. In order to expedite the appellate process and ensure full consideration of your appeal, your appeal should contain a brief statement of the reasons you believe this initial decision to be in error.

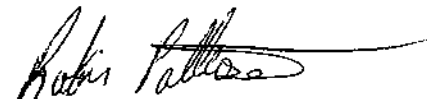
Additionally, the 2007 FOIA amendments directed the Chief FOIA Officer of each agency to designate one or more FOIA Public Liaisons. Please be advised that the DON FOIA Public Liaison is available to assist in disputes between the requester and the agency. The role of the Liaison is to provide FOIA requesters with an avenue to raise concerns about the service received from a Navy Requester Service Center. You may write to the DON FOIA

Public Liaison at Department of the Navy Chief Information Office (DON CIO), 1000 Navy Pentagon, Washington, DC 20350-1000. Alternately, you may contact the DON FOIA Public Liaison via telephone at (703) 695-1297, via fax at (703) 614-4388, or via email at DONFOIAPublicLiaison@navy.mil.

In this instance, the fees associated with the processing of this request were below the minimum threshold and have not been assessed. Please be advised, however, that fees, fee categories, and fee waivers are determined on a case-by-case basis, and a previous determination has no influence on future determinations.

Questions regarding the action this office has taken during the initial processing of your request may be directed to our FOIA service center at (202) 685-0412.

Sincerely,

A handwritten signature in black ink, appearing to read "Robin Patterson", with a long horizontal flourish extending to the right.

ROBIN PATTERSON
Head, DON PA/FOIA Program Office